

SEP 20 2005

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9 UNITED STATES DISTRICT COURT
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11 NORTHERN MARIANA ISLANDS

12 UNITED STATES OF AMERICA,) Criminal Case No. 03-00001
13 Plaintiff,)
14 v.) GOVERNMENT'S MOTION FOR
15) SUBSTANTIAL ASSISTANCE
16) DEPARTURE UNDER U.S.S.G. § 5K1.1
17) AND 18 U.S.C. § 3553(e)
18 Defendant.)
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20 COMES NOW the plaintiff, UNITED STATES OF AMERICA, by and through its counsel,
21 Leonardo M. Rapadas, United States Attorney, and Timothy E. Moran, Assistant United States Attorney,
22 and hereby moves the Court, pursuant to United States Sentencing Guidelines § 5K1.1 and 18 U.S.C. §
23 3553(e), to depart from the Sentencing Guidelines and the statutory mandatory minimum consecutive
24 sentence, based on the defendant's substantial assistance to the Government.

25 Pursuant to ¶ 6(a) of the Plea Agreement between the Government and the defendant, if the Court
grants this motion, the applicable advisory Guidelines level is 26 (63 to 78 months). The Government
further requests that the defendant be sentenced to a term in the bottom of that range, **63 months**.

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27 LEONARDO M. RAPADAS
28 United States Attorney
29 Districts of Guam and the NMI

30 Date: 9/20/05

31 By: _____

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33 TIMOTHY E. MORAN
34 Assistant United States Attorney